

From the:
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 06 MAY 2005

Applicant's or agent's file reference
12285PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/AU2005/000323

International filing date (day/month/year)
3 March 2005

Priority date (day/month/year)
3 March 2004

International Patent Classification (IPC) or both national classification and IPC
Int. Cl. ⁷ B65D 27/08, 63/10, 30/22, 33/04, 33/36, 85/24; H02G 3/30; F16L 3/233

Applicant
DOMINEY, Peter, John

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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Box No. I **Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 2, 5, 10, 11	YES
	Claims 1, 3, 4, 6 – 9, 12	NO
Inventive step (IS)	Claims	YES
	Claims 1-12	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims	NO

2. Citations and explanations:

Novelty (N) – Claims 1, 3, 4, 6 – 9, 12

US 2004/0016784 which was cited in the ISR, shows a tote for accommodating various sizes of cable ties. Figure 5 especially depicts a multi-compartment tote and paragraph 0043 describes its ability to vary the size of the compartments for the various size ties. Paragraph 0041 mentions that the closure can be closed using a zipper or a hook and latch type fastener. Ties are accessed through the centrally located apertures 210.

Inventive Step (IS) claims 1-12

Claims 1, 3, 4, 6 – 9, 12-

As above for novelty

Claims 2, 5, 10, 11

The features added by these claims, eg, the manner of the creation of the central slot (claim 2), holder being a trapezoidal shape (claim 5), rolling the holder into a cylindrical shape (claim 10) are not considered to be inventive and is obvious to a skilled addressee in light of the disclosure in US 2004/0016784 which was cited in the ISR. Hence the invention as defined by these claims lacks an inventive step.

Box No. VIII **Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. Claim 2 is unclear with regard to the scope of "diving means" at line 11; perhaps "dividing means" is meant.
2. The description at page 4 lines 26 commences by designating the feature pockets with the reference numeral of 40 and then proceeds to use 42, which was previously designated to the stitching which divided the pockets.